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C(2021) 9303 final

**COMMISSION IMPLEMENTING DECISION**

**of 16.12.2021**

**on the financing of the annual action plan in favour of the Pacific Region for 2021**

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## on the financing of the annual action plan in favour of the Pacific Region for 2021

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union (TFEU),

Having regard to Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012, and in particular Article 110 thereof,

Having regard to Regulation (EU) 2021/947 of the European Parliament and of the Council of 9 June 2021 establishing the Neighbourhood, Development and International Cooperation Instrument – Global Europe, amending and repealing Decision No 466/2014/EU and repealing Regulation (EU) 2017/1601 and Council Regulation (EC, Euratom) No 480/2009, and in particular Article 23(2) thereof,

Whereas:

- (1) In order to ensure the implementation of annual action plan in favour of the Pacific Region for 2021, it is necessary to adopt an annual financing decision, which constitutes the annual work programme, for 2021. Article 110 of Regulation (EU, Euratom) 2018/1046 establishes detailed rules on financing decisions.
- (2) The envisaged assistance is to comply with the conditions and procedures set out by the restrictive measures adopted pursuant to Article 215 TFEU<sup>1</sup>.
- (3) The actions entitled ‘Support to the energy sector in Tonga’, ‘Water sector resilience and climate change adaptation budget support programme in Samoa’, ‘EU-Solomon Islands partnership for resilience building’ and ‘Technical assistance for detailed engineering design for Kiritimati (Christmas) Island multi-purpose port’ provided for in this Decision contribute to climate mainstreaming in line with the European Green Deal and the inter-institutional agreement.
- (4) The Commission has adopted the Pacific Multicountry Multiannual Indicative Programme<sup>2</sup> for the period 2021-2027<sup>3</sup>, which sets out the following priorities: to provide a response to global warming in term of mitigation, adaptation and resilience and to support integrated approaches to ecosystem management and circular economy; to create opportunities for income, jobs and growth, while at the same time contributing to climate and environmental goals as well as economic diversification; to

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<sup>1</sup> [www.sanctionsmap.eu](http://www.sanctionsmap.eu). Note that the sanctions map is an IT tool for identifying the sanctions regimes. The source of the sanctions stems from legal acts published in the Official Journal (OJ). In case of discrepancy, the OJ prevails.

<sup>2</sup> C(2021)9052.

<sup>3</sup> Commission Implementing Decision adopting a multiannual indicative programme for countries in the Pacific for the period 2021-2027, C(2021) 9052 final of 14.12.2021.

advance universal values and promote gender equality, tackling the widespread problem of violence against women and children and to create an enabling environment for civil society.

- (5) The objectives pursued by the annual action plan to be financed under Regulation (EU) 2021/947 geographic programme ‘Asia and the Pacific’ are to stimulate the reduction of greenhouse gas emissions in Tonga, the sustainable management of natural resources and protection of the health and well-being of citizens in Samoa, the sustainable development of the Solomon Islands, to support the economic development of the island of Kiritimati in Kiribati, and to accelerate the move towards gender equality with a focus on the fight against gender-based violence.
- (6) The action entitled ‘Support to the energy sector in Tonga’ intends to contribute to Tonga’s sustainable and inclusive low carbon development. By improving the enabling environment and governance of the energy sector in Tonga, the access to sustainable, reliable and affordable energy services will be enhanced and the energy efficiency increased.
- (7) The action entitled ‘Water sector resilience and climate change adaptation budget support programme in Samoa’ works towards a more integrated, comprehensive and strategic water, sanitation and hygiene (WASH) policy, addressing also climate change and disaster risks. Its ambition is to add more focus on inclusion and equity by improving the water quality and safe sanitation for people living in vulnerable situations, including those living in rural areas.
- (8) The action entitled ‘EU-Solomon Islands partnership for resilience building’ aims at maintaining an international partnership between the European Union and the Solomon Islands working towards resilience building, in particular further strengthening of institutions in the Solomon Islands for better service delivery and reducing poverty, leaving no one in the country behind.
- (9) The action entitled ‘Technical assistance for detailed engineering design for Kiritimati (Christmas) Island multi-purpose port’ contributes to the economic and social development of Kiritimati Island providing the technical design and feasibility studies necessary for the construction and operation of a multi-purpose port to accommodate requirements for transshipment by fishing vessels, container vessels for commercial trade, and cruise liners for tourism.
- (10) The action entitled ‘Pacific transformative gender equality programme’ aims to promote gender equality and eradication of violence against women and girls in the Pacific Island Countries. The action will build on the positive achievements of the Pacific partnership to end violence against women and girls programme (2018-20220) and of the Spotlight initiative’s Pacific regional programme (2020-2023).
- (11) Pursuant to Article 26(1) of Regulation (EU) 2021/947 indirect management is to be used for the implementation of the actions.
- (12) The Commission is to ensure a level of protection of the financial interests of the Union with regards to entities and persons entrusted with the implementation of Union funds by indirect management as provided for in Article 154(3) of Regulation (EU, Euratom) 2018/1046.
- (13) To this end, such entities and persons are to be subject to an assessment of their systems and procedures in accordance with Article 154(4) of Regulation (EU,

Euratom) 2018/1046<sup>4</sup> and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) of Regulation (EU, Euratom) 2018/1046 before a contribution agreement can be signed.

- (14) The Commission should authorise the launch of a call for tender by means of a suspensive clause before the adoption of this Decision.
- (15) It is necessary to allow for the payment of interest due for late payment on the basis of Article 116(5) of Regulation (EU, Euratom) 2018/1046.
- (16) In order to allow for flexibility in the implementation of the action plan it is appropriate to allow changes which should not be considered substantial for the purposes of Article 110(5) of Regulation (EU, Euratom) 2018/1046.
- (17) The action plan provided for in this Decision is in accordance with the opinion of the Neighbourhood, Development and International Cooperation Instrument – Global Europe Committee established under Article 45 of Regulation (EU) No 2021/947 of 9 June 2021.

HAS DECIDED AS FOLLOWS:

#### *Article 1* *The action plan*

The annual financing decision, constituting the annual action plan for the implementation of the annual action plan in favour of the Pacific Region for 2021, as set out in the Annexes, is adopted.

The action plan shall include the following actions:

- (a) ‘Support to the energy sector in Tonga’ set out in Annex I;
- (b) ‘Water sector resilience and climate change adaptation budget support programme in Samoa’ set out in Annex II;
- (c) ‘EU-Solomon Islands partnership for resilience building’ set out in Annex III;
- (d) ‘Technical assistance for detailed engineering design for Kiritimati (Christmas) Island multi-purpose port’ set out in Annex IV;
- (e) ‘Pacific transformative gender equality programme’ set out in Annex V.

#### *Article 2* *Union contribution*

The maximum Union contribution for the implementation of the action plan for 2021 is set at EUR 42 000 000, and shall be financed from the appropriations entered in the following line of the general budget of the Union:

- budget line BGUE-B2021-14.020132-C1-INTPA: EUR 42 000 000.

The appropriations provided for in the first paragraph may also cover interest due for late payment.

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<sup>4</sup> Except for the cases of Article 154(6) of Regulation (EU, Euratom) 2018/1046, where the Commission may decide, not to require an ex-ante assessment.

*Article 3*  
*Methods of implementation and entrusted entities or persons*

The implementation of the actions carried out by way of indirect management, as set out in the Annexes, may be entrusted to the entities or persons referred to or selected in accordance with the criteria laid down in point 4.4.2 of the Annex I, point 4.3.2 of the Annex IV and point 4.3.1 of the Annex V.

*Article 4*  
*Flexibility clause*

Increases or decreases of up to EUR 10 000 000 not exceeding 20% of the contribution set in the first paragraph of Article 2, or cumulated changes<sup>5</sup> to the allocations of specific actions not exceeding 20% of that contribution, as well as extensions of the implementation period shall not be considered substantial for the purposes of Article 110(5) of Regulation (EU, Euratom) 2018/1046 provided that these changes do not significantly affect the nature and objectives of the actions.

The authorising officer responsible may apply the changes referred to in the first paragraph. Those changes shall be applied in accordance with the principles of sound financial management and proportionality.

*Article 5*  
*Procurement*

Launching a call for tender under a suspensive clause before the adoption of this Decision shall be authorized as of the date set out in point 4.4.1. of Annex I.

Done at Brussels, 16.12.2021

*For the Commission*  
*Jutta URPILAINEN*  
*Member of the Commission*

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<sup>5</sup> These changes can come from assigned revenue made available after the adoption of the financing decision.